

## FITCH, EVEN, TABIN &amp; FLANNERY

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DATE: March 28, 2002

NO. OF PAGES: Cover + 20

FROM: Jon A. Birmingham

DISPATCHED BY: Leslie  
OUR FILE NO.: DKT00127TO: Company/Firm: U.S. Patent and Trademark Office  
City/State/Country: Washington, D.C.  
Facsimile No.: (703) 746-4060

## MESSAGE:

TADA, "Blade Tensioner"

U.S. Application No. 09/880,174; Filed June 13, 2001.

Enclosed: Response to File Missing Parts (6 pgs., in triplicate)  
Copy of the Notice to File Missing Parts (1 pg.)  
Petition for Extension of Time (6 pgs., in triplicate)  
Recordation Cover Sheet (1 pg.)  
Assignment (1 pg.)  
Declaration (3 pgs.)  
Return Receipt Postcard.

(Each of the above was filed by certificate of mailing with the USPTO on  
January 18, 2002.)

Request for Substitute Papers (1 pg.)

The documents accompanying this facsimile transmittal cover sheet contain information from the law firm of Fitch, Even, Tabin & Flannery which may be confidential and/or legally privileged. The documents are intended only for the personal and confidential use of the addressee identified above. If you are not the intended recipient or an agent responsible for delivering these documents to the intended recipient, you are hereby notified that any review, disclosure, copying, distribution or the taking of any action in reliance on the contents of this transmitted information is strictly prohibited. If you have received this facsimile in error, please immediately notify the Firm so that we can arrange for the return of the original documents to us. Thank you.

## BLADE TENSIONER

Filed: June 13, 2001

JAB/lis

Application No. 09/880,174

Date Mailed: January 18, 2002

Transmitted herewith: (1) Response to File Missing Parts (6 pgs., in triplicate); (2) Copy of the Notice to File Missing Parts (1 pg.); (3) Petition for Extension of Time (6 pgs., in triplicate); (4) Recordation Cover Sheet (1pg.); (5) Assignment (1 pg.); (6) Declaration (3 pgs.); and (7) Return Receipt Postcard.

Sir:

Please acknowledge receipt of the above-identified documents by applying the Patent and Trademark Office receipt stamp hereto and mailing this card.

Respectfully,

FITCH, EVEN, TABIN &amp; FLANNERY

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COPY OF PAPERS  
ORIGINALLY FILED  
02/12/02

PATENT

Attorney Docket No. DKT00127

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Tada

Appln No.: 09/880,174

Filed: June 13, 2001

For: BLADE TENSIONER

Group Art  
Unit: 3682

Examiner: N/A

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on this date.

01/18/02

Date Jon A. Birmingham  
Registration No. P-51,222  
Attorney for Applicant(s)

RESPONSE TO NOTICE TO FILE MISSING PARTS

Box MISSING PARTS  
Commissioner of Patents and Trademarks  
ATTENTION: Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts dated August 14, 2001, enclosed are:

- A copy of the Notice to File Missing Parts.
- An executed Declaration for Patent Application, including Power of Attorney.
- \_\_\_\_\_ sheet(s) of drawings are enclosed.  Formal  Informal
- An Assignment of the invention to Borg-Warner Automotive K.K., and Recordation Form Cover Sheet - Patents Only - Form PTO-1595.
  - A check in the amount of \$ \_\_\_\_\_ to cover the fee for recording the assignment.
  - The Recordation Form Cover Sheet includes authorization to charge our Deposit Account for recording the assignment.
- A Petition for Extension of Time, including authorization to charge Deposit Account for the extension fee.

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Attorney Docket No. DKT00127

 Fee Calculation:Fee Calculation For Claims As Filed

<input type="checkbox"/> Provisional Application Basic Fee	\$ 160.00	_____
Surcharge under 37 C.F.R. §1.16(1)	\$ 50.00	_____
<input type="checkbox"/> Non-Provisional Utility Application Basic Fee	\$ 740.00	_____
Independent Claims	<u>3</u>	= <u>0</u> x \$ 84.00 = \$ 0.00
Total Claims	<u>20</u>	= <u>0</u> x \$ 18.00 = \$ 0.00
Fee for Multiply Dependent Claims	\$ 280.00	_____
Surcharge under 37 C.F.R. §1.16(e)	\$ 130.00	_____
<input type="checkbox"/> Design Application Basic Fee	\$ 330.00	_____
Surcharge under 37 C.F.R. §1.16(e)	\$ 130.00	\$ 130.00
	Total Filing and/or Surcharge Fee	\$ 130.00

Applicant(s) assert entitlement to Small Entity Status, reducing the Filing/Surcharge Fee by half to: \_\_\_\_\_

A check in the amount of \$ \_\_\_\_\_ to cover the Filing and/or Surcharge Fee.

Charge \$ 130.00 to Deposit Account No. 06-1135.

The Commissioner is hereby authorized to charge any additional fees which may be required in this application under 37 C.F.R. §§1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 06-1135. Should no proper payment be enclosed herewith, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1135. This sheet is filed in triplicate.

January 18, 2002

Date

John A. Birmingham  
Registration No.

P-51,222

FITCH, EVEN, TABIN & FLANNERY  
Suite 1600  
120 South LaSalle Street  
Chicago, Illinois 60603-3406  
Telephone: (312) 577-7000  
Facsimile: (312) 577-7007

Missing Parts 2-1101

Received from &lt;312 577 7007&gt; at 3/28/02 3:36:12 PM [Eastern Standard Time]

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SENT BY: FITCH EVEN TABIN & FLANNERY; 312 577 7007;

MAR-28-02 14:49:01 PM PAGE 9  
JPE page 1 of 1



UNITED STATES PATENT AND TRADEMARK OFFICE

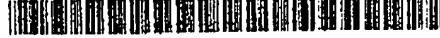
COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/880,174	06/13/2001	Naosumi Tada	DKT00127

MAR 28 2002

CONFIRMATION NO. 5817

FORMALITIES LETTER



"0000000005421840"

BORGWARNER INC.  
Patent Department  
3001 West Big Beaver Road, Suite 200  
P. O. Box 5060  
Troy, MI 48007-5060

COPY OF PAPERS

ORIGINALLY FILED

02/12/02

Date Mailed: 08/14/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice MUST be returned with the reply.*

*FBI*  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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## UNITED STATES PATENT AND TRADEMARK OFFICE

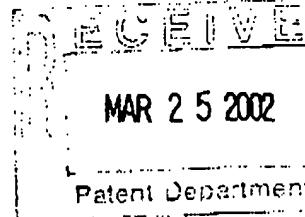
UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
 Washington, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

OIPA

MAR 2 8 2002

Application Number	Filing Date	First Named Applicant	Atty. Docket No.
09/880,174	06/13/2001	Tada, Naosumi	DKT00127

BORGWARNER INC.  
 Patent Department  
 3001 West Big Beaver Road, Suite 200  
 P. O. Box 5060  
 Troy MI 48007-5060  
 Title: Blade tensioner



Date Mailed:03/19/2002

## Request for Substitute Papers

The papers filed on 02/12/02 (certificate of mailing dated 01/18/02) are no longer in condition to become part of the permanent records of the United States Patent and Trademark Office (USPTO) for this application (37 CFR 1.52(a)) due to the United States Postal Service sanitization process.

The USPTO requests that applicant provide a copy of the above-identified papers (except for any U.S. or foreign patent documents submitted with the above-identified papers) with a statement that such copy is a complete and accurate copy of the above-identified papers (signing and returning a copy of this notice will provide such a statement). The reply to this letter should be submitted to the USPTO by facsimile at the number indicated (703) 746-4060

Alternatively, the reply to this letter may be hand-carried to the Customer Service Window located in Room 1B03 of Crystal Plaza Building 2, Arlington, Virginia, 22202.

The USPTO strongly prefers that the reply to this letter be submitted by facsimile. However, if applicant cannot submit the reply to this letter by facsimile (or hand-delivery), the reply may be mailed to: Box Duplicate, U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202-2327.

This letter is not a notice under 37 CFR 1.251. However, failure to timely replay to this notice within two (2) weeks of the date of receipt of this letter may result in the USPTO issuing a notice under 37 CFR 1.251. A copy of this notice should be included with the reply.

The enclosed papers are a complete and accurate copy of the above-identified papers.

Name: Jon A. Birmingham Registration No.: 51,222

Signature: [Signature] Date: 03/28/02

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